

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND, NORTHERN DIVISION**

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,**

**Plaintiff,**

**and**

**KATHY KOCH,**

**Intervenor/Plaintiff,**

**V.**

**LA WEIGHT LOSS CENTERS, INC.,**

**Defendant.**

**CASE NO.: WDQ 02-CV-648**

## JURY DEMANDED

**JOINT MOTION TO EXTEND DISCOVERY AND MODIFY SCHEDULE**

Pursuant to the Federal Rules of Civil Procedure, Rule 105 of the Local Rules of the United States District Court for the District of Maryland and the Court's May 25, 2004, Order Regarding Bifurcation and Scheduling (the "Order"), plaintiff EEOC and defendant LA Weight Loss Centers, Inc. (the "Parties") respectfully request that the Court enter a limited order extending the Parties' time for expert discovery.

In support of this Motion, the Parties represent that they have diligently engaged in expert discovery. To date, EEOC has produced its expert report and all data or information considered.

Notwithstanding, the Parties require additional time to complete expert discovery. The following factors give rise to this Motion: (1) EEOC will not complete its answer to LAWL's Interrogatory No. 32 until June 30, 2006;<sup>1</sup> (2) LA Weight Loss Centers, Inc.'s expert(s) may consider EEOC's answer and/or any report evaluating that answer; and (3) the Parties will require at least 60 days, as previously provided, within which to complete expert discovery and depositions. LA Weight Loss Centers, Inc. anticipates that it will have no fewer than five expert witnesses.

Accordingly, the Parties respectfully request that the Order be modified as follows: (1) LA Weight Loss Centers, Inc. shall name expert witnesses and serve EEOC with expert report(s) considering EEOC's answer to Interrogatory No. 32 and/or any evaluation of that answer on or before July 31, 2006; (2) expert discovery shall be completed by October 2, 2006; (3) dispositive motions with respect to Stage I issues shall be filed on or before November 2, 2006; and (4)

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<sup>1</sup> Expert reports not involving EEOC's answer to Interrogatory No. 32 will be disclosed in accordance with a schedule agreed upon the parties.

EEOC shall file its opposition and cross motion, if any, by December 4, 2006.

/s/

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/s/

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Dated: June 27, 2006

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## ORDER

AND NOW, this \_\_\_\_\_ day of June, 2006, it is hereby ORDERED that plaintiff Equal Employment Opportunity Commission's and defendant LA Weight Loss Centers, Inc.'s Joint Motion to Extend Discovery and Modify Schedule is GRANTED.

Quarles, J.